C.F. 71 & 72

1933.

Department of L R & Settlement

OFFICE Board of Revenue

STATION Madras

Misc No. 3351
3355

B 61.10.32

Dated 7-12-33

	Date	Initial
To whom sent	Given for copying	
	Copied	
	Examined	
	Signed	
	Given for despatch	
	Despatched 7/12	
	Indexed	
Pages in the file	To be destroyed on*	

(SUBJECT.)

Escheat (Bellary). Bellary Taluq Town. Choultry — Permission to proceed under B.S.O 117(5) Board's recommendation accepted G.O. Communicated

Not to be filled in in the case of permanent records.

REVENUE
2 NOV 1932
BOARD'S COLLECTION

Revenue Department.

B6/20

Memorandum No.3491 F/32-2, dated 29th October 1932.

SECY.
2 NOV 1932

Buildings - (Bellary) - Bellary taluk and town - Municipal Council choultry - Sale.

From the Chairman, Municipal Council, Bellary, Refce G.No.972/29432 dated 27th April 1932.

In his reference read above, (copy enclosed) the Chairman, Municipal Council, Bellary requests the sanction of Government for the sale in public auction of a building which is alleged to be a municipal choultry and which is situated in the Goldsmith street, Bellary town. In his letter D.Dis.C. 2548-32, dated 5th October 1932 (copy enclosed) the Collector of Bellary reports that there is nothing on record to show how the Bellary Municipality got possession of the choultry in question. He has not stated anything about the ownership of the land on which the building stands.

2. The Board of Revenue is requested to report:-

(i) whether the land on which the building stands or the land revenue thereon was ever alienated in favour of the municipal council and if not, why an application for alienation was not obtained by the Collector as laid down in paragraph 2 of G.O.No.1839 Revenue, dated 29th August 1931,

(ii) whether the proposal is to sell the land also along with the building, and if so, to report the extent and market value of the land and the market value of the building separately, and,

(iii) whether it is not possible to ascertain by whom the choultry building was constructed, and how and when the municipality obtained possession of the choultry.

J.A.THORNE

SECRETARY TO GOVERNMENT

To the Board of Revenue, Land Revenue and Settlement. (with copy of enclosures).

Forwarded

(By order)

A.S. Krishnan
Superintendent.

jn.

From the Chairman, Municipal Council, Bellary, Ref. G. 972/29432 dated 27th April 1932.

...

The Council as a measure of augmenting the resources of the Municipality, resolved to sell away one Municipal Choultry building situated in the goldsmith street in public auction as it is not at all used as choultry but rented out on a monthly rental of Rs2/- per mensem. Information was called for, from the public works department as to the probable value that it is likely to fetch and I am informed that it may fetch about Rs200/- if sold in public auction.

Under clause 2 to Rule II of G.O.No.4482 L & M. dated 17-11-27 sanction of the Government is necessary for sale of immovable property belonging to the Council if the value thereof exceeds Rs500/-

I therefore request you to kindly accord your sanction for the sale at an early date as all the further formalities that are to be gone throug have to be so done only after the receipt of the sanction of the Govern - ment.

A copy of the Council's resolution authorising the said sale is herewith enclosed for the information of the Government.

II

From the Collector of Bellary, D.Dis.C.2548/32, dated 5th October 1932.

...

Buildings - sale of municipal choultry - goldsmith street, Bellary.

Ref. Government Endorsement No. 16953.1.C.L & M., dated 10.5.32.

There is nothing on record to show how the Bellary municipality got possession of the choultry in question. The choultry building does not find a place in the register of immovable property maintained by the Chairman, Municipal Council, Bellary. From the report of the Chairman, Municipal Council, Bellary Ref.G.O. 972 dated 21.9.32(copy enclosed) it is clear that the building has been in possession of the municipal council since 1919 from which year a monthly rent of 2/- is being collected.

2. The council is reported not to have spent any money in maintaining the choultry in good order. The market value of the building is estimated by the Tahsildar at Rs.1000/-

---

Copy of letter Ref.C. 972 dated 21.9.32 from the Chairman, Municipal Council, Bellary to the Collector of Bellary.

...

Sale of municipal choultry in Goldsmith street.

Ref. Your C.No. 2548/32 B.5. dated 15.6.32.

The choultry in question does not find a place in the register of

immovable property maintained in this office. A thorough search into the old records of this office has been made and I find therefrom that the building was in possession of the council even so far back as 1919 from which year there are accounts to show that a monthly rent of Rs. 2 was being collected on it. Beyond this there is no other information available in this office, to trace back to the date of original possession of the building. My information is that the choultry had been with the council even long before 1919 say from the year 1905 onwards. The pity of it is that old records have all been destroyed and there is no entry in the immovable register.

...

R. F. XXII-A-19—30,004—2-2-31 (6)

FOR MEMBER: As(dr)

Subject.

Buildings (Bellary) – Bellary taluk and town Choultry – Municipal Council – Sale.

READ AGAIN B. P. No. _____ dated _____ 193

_____ " " _____ 193

READ ALSO :–

Register No. _____ From the B 6120/32 No. _____ dated _____ 193

" _____ " " _____ " _____ 193

" _____ " " _____ " _____ 193

~~RESOLUTION.~~ Rejce No. B 6120/32-1 dated 7-11- 1932

RT 7.12.32 15723

RII 6.1.33 11-1-33

RIII 6.2.33 13-2-33

To The Collector of Bellary

DESP 8 NOV 1932

SG.GA.7.XI.

Forwarded to the Collector of Bellary for report.

A.C. 7.11.32.

RII 7.12.32

C.F. 32

In reply, please quote number, date and short title.*

.....DEPARTMENT.

Received..... *Registered* B 8 31

From (Name) F.W. Stewart Esqr. C.I.E., I.C.S.,

(Designation) Collector of

Post Box....., (Station) B e l l a r y.

Telegraphic Address.....

To The Secretary to the Commissioners,

Land Revenue & Settlement,

M a d r a s.

Ref. C.No. 6349/32-A, dated 5th February 1933.

Sir,

Enclosures..... Goldsmith Buildings - Bellary Taluk & town - Choultry in Street - Sale by Municipal Council.

..... Board's Refce. B.6120/32 dated 7-11-32. on Government Memorandum No.3491 F/32-2 dated 29-10-32.

Spare Copies.....

Para 2 of Government Memorandum.-- The land on which the building stands or the land ~~Land~~ revenue thereon was not alienated in favour of the Municipal Council as it has not been separately sub divided and shown in the village accounts as belonging to the Municipality. G.O. No.1839, Revenue dated 27-8-31 was communicated as a matter of routine to the Revenue Divisional Officers and now action on it will be called for and supervised.

2. Para 2 (ii) of Government memorandum.-- The proposal is to sell the land also along with the building. The actual extent ~~with the existing~~ on which the building stands is 12 yards by 9 yards i.e., 108 Sq. yards. This is the extent occupied by the stone masonry of the choultry. There is an open space measuring 7 yds by 12 yds or 84 Sq. yards in front of the building. Hence the total measures 192 sq. yds. The market value of the site is estimated at 4 annas per Sq. yard. The value of the building together with the site on which the building is situated is estimated at Rs.1000/-. The market value of the land is Rs.48/- and that of the building Rs.952/- The Chairman Municipal Council, Bellary has, in his letter Ref. C. 972 dated 21-9-32, stated that according to the records of his office the building was in possession of the

8

Council even so far back as 1919 and that he has no records to prove the Council's possession prior to the year 1919 though according to his information the Council has been in possession of the building from the year 1905 onwards. The record of enquiry made by the Tahsildar, Bellary shows that the choultry has been im possession of the Municipal Council only for the last 13 years. Thus it is clear that the municipal Council has not acquired adverse possession of 60 years against Government and it cannot therefore undertake to sell the land or the building for its own benefit without proving its title to them.

3. Para 2 (iii) of Government Memorandum.-. Some aged persons of the locality, who have been examined in the matter state that the Choultry appears to have been constructed more th than 100 years ago and that they were being told by their fathers or fore fathers that the choultry belonged to Government. They are unable to state by whom it was constructed. Prior to the year 1919 the choultry was being occupied by poor people. As it was an unclaimed property the Municipality appears to have taken possession of it in or about the year 1919 and permitted Imamuddin, a contractor, to occupy it on payment of a monthly rent of Rs.20- to the Municipality without the approval of a competent Revenue authority.

4. Proposals are being called from the Tahsildar, Bellary for taking necessary action under Regulation VII of 1817 (Madras) and a final report will be submitted to the Government in the matter in due course.

Endowments & Escheats Regulation p 439 in code Vol I

6.2.33.

K.K.R.6-2-33. For Collector.

6/6.2.33

Subject. 9

R. F. XXII-A-19—23,004—15-3-32 (6)

FOR MEMBER. $

AS (L&R)

Buildings - (Bellary) -
Bellary Taluk and Town.
Chowltry - Municipal Council.
Sale.

READ AGAIN B. P. No. _____, dated _____ 193 .

" " " _____, " _____ 193 .

READ ALSO :—

Register No. _____, From the B 6120.32 fl 14 Q, No. _____, dated _____ 193

Boards of B 6120.32 + 9 7-11-32 fl 5 4 Q

" " _____, " " _____, " _____, " _____ 193

B 831.33 ff 7-8 4 A

" " _____, " " _____, " _____, " _____ 193 .

~~RESOLUTION.~~ Office No. B 6120.32-2 dated 10-2-1933.

Submitted to Government.

10/2/33

Town Secretary to Government
Revenue Department.

10.2.33.

Revenue
10/2/33

B 11-2-33

11 B1413

BOARD OF REVENUE
8 - MAR 1933
LAND REVENUE AND SETTLEMENT

GOVERNMENT OF MADRAS

Revenue Department

SECY.
8.-MAR 1933

MEMORANDUM.

No. 3491 F/32-4, dated the 4th March 1933.

Buildings - (Bellary) - Bellary taluk and Town - Municipal Council Choultry - Sale.
Reference from the Board of Revenue, No.B-6120-32-2, dated the 10th February 1933.

The Board of Revenue is requested to ascertain and report how the land in the Goldsmith street, Bellary Town, on which the choultry stands is registered in the Revenue accounts.

2. The further report promised in paragraph 4 of (its reference) read above is awaited.

T.N.S. Raghavan,
Under Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.

*****

F O R W A R D E D.
(By Order)

Superintendent.

V:K/6-3.

As(LR)

Buildings (Bellary), Bellary Thandoon. Municipal Council Choultry Sale

B 831-33 p74 Q

Board's ltr B 6120-32-2 & 10233 p94 Q

B 1413-33 p114 Q

Repn B 6120-32-3 & 10333

The Collector is requested to ~~ascertain and~~ report how the land in the Goldsmith Street, Bellary Town, on which the choultry stands is registered in the Revenue Accounts and to ~~submit~~ expedite the report promised in para 4 of his ~~reference~~ letter read above.

10-3-33.

Rq 11.3.33. 21.3.33
d 11/4

RII 4.5-33 16.5.33
d 9/5 Issued

RIII 23.5.33 31.3.33
d 2.7.5

fsq

RON
9333
9.3.33

To the Collector of Bellary

Rem and d/s
Loc
10.3.33.

C.R. 10/3

RECEIVED
MAR 1933
Or

15

C.F. 32

In reply, please quote number, date and short title.*

DEPARTMENT.

Received *Registered* B2792

From (Name) F.W. Stewart Esqr. C.I.E., I.C.S.,

(Designation) Collector of

Post Box (Station) Bellary.

Telegraphic Address

To The Secretary to the Board of Revenue,

Land Revenue & Settlement,

Madras.

Ref. C. *No.* 6549/32-1 *Dated* 27th May 1933.

Sir,

Enclosures one.

Buildings - Bellary Taluk and Town - Municipal Council - Choultry - sale - Further report submitted.

Board's Ref. B. No.6120/32-3 dated 10-5-33.

The land in the Goldsmith street on which the choultry stands is not separately registered as an isolated item in the Revenue accounts. It forms part of S.No.455A which is registered as village-site poramboke in the Revenue accounts.

2. The building is situated in the heart of the town. Though it is known as a choultry it is not desirable that it should be used for such a purpose as there are decent people living in the neighbourhood to whom the occupation of this building by the less respectable sort of travellers or by beggers will be nuisance. It has not been proved that it is a charitable endowment to be dealt with under sections 3 to 5 of Regulation VII of 1817 (Madras). The Municipality which is in possession of the building and the site on which it stands, has not conclusively proved its title to them. The property is primafacie liable to escheat.

3. The value of the property is estimated at Rs.1000/- According to B.S.O.197 (3) Collectors of districts have power to dispose of cases of escheat where the value of the real property does not exceed Rs.1000/-, asking for the Board's orders only when it may be necessary to institute a suit to obtain possession. In this instance it would

16

be better to arrange the matter with the Chairman Municipal Council. I propose to discuss it with him to see whether there is any other purpose which the site or building will serve, and to take possession or surrender the building to the Municipal Council, whichever seems best. If it proves necessary to alienate the site and building or to institute a suit, I will make a report in due course.

4. The exchange reminder dated 25-5-33 received from the Board is herewith returned.

29-5-33

K.K.R.29-5-33. For Collector.

29.5.33.

As(LR)

17

Buildings Bellary Bellary Taluk and Town. Municipal Council.. Ghoultry — Sale.

B 1413.33 file 11 of Q

Boards ref B 6120.32-3 & 10333 file 13 of

B 2792.33 file 15-164

Rpt no B 6120.32-4 & 1633

Submitted to Government

2.6.33.

To the Secretary to Government
Revenue Dept.

BOARD OF REVENUE
7 - AUG 1933
LAND REVENUE AND SETTLEMENT

GOVERNMENT OF MADRAS

B4188

SECY.
7 - AUG 1933

Revenue Department

Memorandum No.. 3491 F.32-5 dated 2nd August 1933.

Buildings - (Bellary) - Bellary Taluk and Town - Municipal council choultry - Sale - Board's Refce.No.B.6120-32-4 dated 2.6.1933.

The Board of Revenue is requested to state whether the further report promised by the collector in para 5 of his letter submitted with the Board's reference read above has been received and if not, when it may be expected.

T.N.S.Raghavan,
Under Secretary to Govt.

To
The Board of Revenue (L.R.&.S.

Forwarded.
(By order)

Superintendent.

A.K.

R. F. XXII-A-19—23,004—15-3-32 (6)

Subject.

FOR MEMBER. As(LR)

24

Buildings (Bellary), Bellary Taluk Town. Choultry — Sale Municipal Council. — Sale

READ AGAIN B. P. No. _____, dated _____ 193 .

" " " _____, " _____ 193

B 2792-33 pp15-16 — Q to Coll 193 + Rt to Govt p19 — Q

READ ALSO :—

Register No. _____, From the B 4188-33, No. _____, dated _____ 193

" " _____, " " _____, " _____, " _____ 193

" " _____, " " _____, " _____, " _____ 193 .

~~RESOLUTION.~~ Letter. No. B 6120-32 5 dated 10-8- 1933.

The Board submits that the further report promised in the Collector has not been received. He is being asked to state when it may be expected. The Board will submit it as soon as it is received

Rt 15-9-33 22/9/33

Rt 5.10.33 13/10/33

DESPATCHED 11 AUG 1933

2. The Collector of Bellary is requested to report when the further report promised by him in para 3 of his letter dated 10-8-33 may be expected

CR/VA 11/8 pp15-16

To the Secretary to Government Revenue Department (Land) 2833 G/W.

The Collector of Bellary (Land) G/W.

12/8/33

A. H. 11/8

B 4572

C.F. 32-(a)

In reply, please quote number, date and short title *

23 Revenue DEPARTMENT.

Received *Registered*

From (Name) F. W. Stewart Esq., C.I.E., I.C.S.,

(Designation) Collector of Bellary,

Post Box ....., (Station) Bellary.

Telegraphic Address

BOARD OF REVENUE
25 AUG 1933
LAND REVENUE AND SETTLEMENT

To The Secretary to the Commissioners,

Land Revenue & Settlement, Madras.

Ref C.No. 6349/32, *dated* 20th August 1933

Sir,

B4

Buildings- Bellary Taluk and Town- Choultry- Municipal Council -Sale.

Ref:- Board's Ref No: B. 6120-32-5 dated 10-8-1933.

The matter is pending with the Chairman, Municipal Council, Bellary and he has promissed to send a report

ENCLOSURES .....

.....

.....

SPARE COPIES .....

24

a report soon. A final report will be submitted after the receipt of his reply.

22/6

For Collector.

K.H: 23/8 23/8

Copy to the Chairman, Municipal Council Bellary for favour of expediting the report.

AS(LR)

To AS(LR)

May be filed with the connected papers. The Collector may be reminded on 15.9.33, if necessary.

29.8.33

BOARD OF REVENUE
26 SEP 1933
LAND REVENUE AND SETTLEMENT

25

B-5704

GOVERNMENT OF MADRAS

Revenue Department.

SECY.
26 SEP 1933

Memorandum No. 3491-F/32-6, dated the 21st September 1933.

.....

Buildings - (Bellary) - Bellary Taluk and Town Municipal Council Choultry - Sale - Board's Ref. No. B. 6120/32-5, dated the 10th August 1933.

***

The Board of Revenue is requested to state whether the further report from the Collector has been received and if not, when it may be expected.

T. N. S. Raghavan
Under Secretary.

To the Board of Revenue, Land Revenue and Settlement.

FORWARDED
/By Order/

Superintendent.

A.s.

C.F. 16—24,90,350—30-10-30. (6)

DRAFT FOR APPROVAL.

Enclosures.

Despatch No.

When given to fair copying

Fair-copied by

Fair-copy compared by

When despatched

Office.

Register No. , dated

From

Subject.

Buildings (Bellary). Bellary Taluk and Town. Municipal Council. Choultry Sale.

To

THE

B 5174.33 f.254 Q

Repno B6120.32.6 29/9/33

The Collector of Bellary reported on 23-9-33 that the reference was under scrutiny in his office and that he would submit his report shortly. The report is awaited. The Bd will submit it soon after it is received from the Collr.

~~The report has not yet been received by the Board's office~~

Issued

DESPATCHED
2 OCT 1933

for

Secy 29/9/33

29/9/33.

12
30.9.33

To the Secretary to Government
Revenue Dept.

29 B-5479

C.F. 32.

Revenue DEPARTMENT.

In reply, please quote number, date and short title.

BOARD OF REVENUE 9-OCT 1933

Received ..... *Registered* .....

From (Name) F.W.Stewart Esq., C.I.E., I.C.S.,

(Designation) Collector,

Post Box ....., (Station) Bellary.

Telegraphic Address .....

To The Secretary to the Commissioners,

Board of Revenue Land Revenue & Settlement

Madras.

Ref.C. No6349/33 B4 *dated* 5th October 19 33.

Sir, Buildings Bellary Taluk and Town - Choultry in *Goldsmith street ownership.
Board's Ref. No.B. 6120/32 - 5 dated 10.8.33.

Enclosures .....

.....

.....

Spare Copies .....

The Chairman, Municipal Council Bellary, has replied stating that the building is the property of the Municipality. He has adduced no documentary evidence in support of his assertion but relies on the oral testimony of two illeterate old women living in that locality. He further says that the building was once used as a resting place by Municipal Sweepers. It does not find place in the inventory of immoveable properties maintained by the Municipality under Section 64(1) of the District Municipalities Act, and so the Municipality cannot have any claim to it. Further it is not understood why a choultry was built for the Municipal Sweepers and it is also not clear why the building was not required for the sweepers after 1919 when it was rented out to a contractor. The Contention of the Chairman, Municipal Council is therefore obviously untenable.

2. As the building is ownerless it is prima facie liable to escheat, and has to be disposed of under B.S.O. No.197 As the value of the property is within my power of disposal I may be permitted to proceed with the case under para 5 of B.S.O. 197.

For Collector.

s.u.c./6.10.

C.F. 16—24,90,350—30-10-33

DRAFT FOR APPROVAL.

S

As (JR)

Thro' (Resident) 30.10.33

Enclosures.

Despatch No.

When given to fair copying 30/10/33

Fair copied by

Fair-copy compared by

When despatched

Office.

Register No. , dated

From

Subject.

Buildings. (Bellary).

Bellary Thaluk Town. Municipal Council Chowltry. Sale.

To

THE B 4188 3.33 p194 a

Boards ref B 6120.32.5 & W 8.33 p21+ B

B 5478.33 p29ct — A

Ref cee no B 6120-32-7 & W 1033

Thro' (illegible)

Submitted to Government.

2/ The Board agrees with the Collector that the contention of the Chairman, Municipal council, Bellary, that the building is the property of the municipality cannot be accepted. The Collr may be permitted to proceed with the case under para 5 of B.S.O. 197

DRON 12/10/33

To the Secretary to Government Revenue Dept.

Despatched 17.X.33

B 14033

S 16.X

B 5478 Boards 17

B-6739/33

Sectt. II-15 (a)—16,000—16-12-32.

A-4360

BOARD OF REVENUE 2- DEC 1933

Received ..... 193 . *Registered* 193

SECY. - DEC 1933

Abstract.

Escheat - (Bellary) -

Bellary taluk and town - Choultry - Permission to proceed under B.S.O. 197(5) - Board's recommendation - Accepted.

R E V E N U E **DEPARTMENT.**

G.O. No. Ms.2186, **dated 30th November 1933.**

ENCLOSURES.

No.

READ the following paper:—

From the Chairman, Municipal Council, Bellary, Ref. 972, dated 27th April 1932.
Memo. to the Board of Revenue, L.R. & S., No.3491-F/32-2, dated 29th October 1932.
From the --do-- Ref.B.6120/32-2, dated 10th Feb. 1933.
Memo. to the --do-- No.3491-F/32-4, dated 4th March 33.
From the --do-- Ref.B.6120/32-4, dated 2nd June 1933.
From the --do-- Ref.B.6120/32-7, dated 16th Oct. 1933.

O R D E R --

The Government accept the recommendation of the Board of Revenue and permit the Collector of Bellary to take action under para. 5 of B.S.O. No.197 in respect of the coultry in S.No.499 A, Goldsmith Street, Bellary Town.

(By Order of the Governor in Council)

J.A. THORNE,
Secretary to Government.

To the Board of Revenue, L.R. & S.
Copy to the Local Self Government.

FORWARDED.
(By Order).

Superintendent.

v.s.v.30-11.

C.F. 16—24,90,350—30-10-30. (6)

DRAFT FOR APPROVAL

Enclosures.

Despatch No.

When given to fair copying

Fair-copied by

Fair-copy compared by

When despatched

Office.

Register No. dated.

From

Subject.

Escheat. (Bellary) Bellary Th and Town — Choultry — Permission to proceed under B.S.O. 197(5) — Board's recommendation accepted.

To

THE

I.O. Communicated

B 837.33 pp 7-8 ✓

B 2792-33 pp 15-16 ✓

B 5729.33 p 29 ✓

B 6738.33 p 33 ✓

Res. No. 3388 dt 7-12-33

Communicated to the Collector of Bellary.

26/12/33

Rem 5233

To the Collector of Bellary

last section of para 1 of B no 6120/32-2 dy. 10-2-33.

(Chaulky Bellary-Municpl counc-) Sale.

To Supdt F
Rev Sect.

and now action it will be called for & supervised

para 3. the chaulky appears Whether
Considered more than 100 yrs ago.
middle

Telephone message
From
The First Assistant
Board of Revenue
L R & Lett

To
The Superintendent
F Section
Revenue Secretariat

Ref:- Board's reference no. B 6120-32-2-
dy 10-2-33 - Chaulky Bellary.
Municipal Council Sale.

In the Collector's letter submitted with the above reference - please read in the last sentence of para 1. 'and now action on it will be ~~taken~~ called for and Supervised' for "and now action it will be called for and Supervised". and in the middle of para 3 'the

chowky appears to have been
constructed more than 100 years ago'
for ' the chowky appears to have
been considered more than 100 years
ago'

Please issue
16/2.

Chowk
16233

Issued
16/2